



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.02.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.3353 of 2022

Sundari ... Petitioner
/Vs./

- 1.The District Collector,
Thanjavur, Thanjavur District.
- 2.The District Social Welfare Officer,
District Social Welfare Office,
Thanjavur, Thanjavur District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Thanjavur, Thanjavur District.

4.Savithiri ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to conclude the proceedings in Na.Ka.No.2341/2020/A3 dated .11.2020 within a time stipulated by this Court.

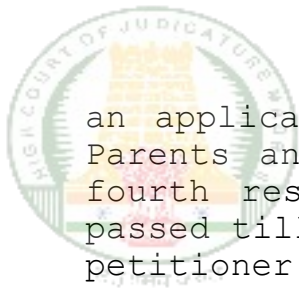
For Petitioner: Mr.A.Arun Prasad

For R1 to R3 : Mr.D.Sasikumar,
Additional Government Pleader.

ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the third respondent to conclude the proceedings in Na.Ka.No.2341/2020/A3 dated .11.2020 within a time frame to be fixed by this Court.

2.It is the case of the petitioner that the fourth respondent is her daughter-in-law. According to the petitioner, her son is working abroad and he has dispossessed her from her property, which is presently occupied by the fourth respondent, who is his wife. It is the further case of the petitioner that her son has not been maintaining her properly and has also illegally dispossessed her from her property. In such circumstances, the petitioner has filed



an application under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, seeking action against the fourth respondent and her son. Since no final orders have been passed till date, though enquiry proceedings has also commenced, the petitioner has filed this writ petition.

WEB COPY

3. Heard Mr.A.Arun Prasad, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4.No prejudice will be caused to the respondents, if the petitioner's application filed under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the fourth respondent, who is the petitioner's daughter-in-law and other necessary parties and final orders passed thereafter, within a timeframe to be fixed by this Court.

5.As seen from the documents filed in support of this writ petition, enquiry has already commenced in the petitioner's application and it is pending on the file of the third respondent. Therefore, no prejudice will be caused if a direction is given by this Court to the third respondent to pass final orders, within a time frame to be fixed by this Court.

6.Accordingly, this Court directs the third respondent to conclude the proceedings in Na.Ka.No.2341/2020/A3 dated .11.2020 in the application submitted by the petitioner under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, against the fourth respondent and her son and pass final orders within a period of three (3) months from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and the fourth respondent as well as the petitioner's son and other necessary parties, if any.

7.With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



sm

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

- 1.The District Collector,
Thanjavur, Thanjavur District.
- 2.The District Social Welfare Officer,
District Social Welfare Office,
Thanjavur, Thanjavur District.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Thanjavur, Thanjavur District.

+1 CC to M/s.SPL GP (SR-8091[F] dated 23/02/2022)

order made in
W.P. [MD]No.3353 of 2022
22.02.2022

PKP/08.03.2022/3P/5C